THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.5723 OF 1995

BETWEEN:

Syed Kaleemuddin son of Syed Aleemuddin

…Petitioner

vs.

The District Cooperative Officer, Adilabad and others

..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.5723 OF 1995

ORAL ORDER

The writ petition is filed seeking a direction to the respondents to issue posting order to the petitioner as a Paid Secretary. The petitioner claims to have been appointed as a Paid Secretary of the PACS, Kosai. On 03-06-1991 the 1st respondent addressed the 2nd respondent stating that certain charges were framed against the petitioner during the period he worked as Secretary, PACS Kosai in bank's proceedings dated.23-11-1982, the petitioner also offered his explanation thereto but the Bank had not disposed of the matter. The 1st respondent's letter also stated that if charges against the petitioner are proved and the amount stated to have been misappropriated by him has been recovered from him, particulars of the remittance should be furnished and the exact date from which the petitioner has absconded the duty should be reported. Thereafter nothing is known.

According to the petitioner the Cooperative Sub-Registrar, pursuant to an enquiry had submitted a report on 31-12-1991 stating that he is unable to pinpoint the liability for the irregularities in the Kosai PACS. Thereafter, according to the petitioner there was correspondence between the respondents for taking up the mater of reinstatement of the petitioner but nothing was done. In the circumstances the writ petition is filed and a relief is sought.

It is neither pleaded, urged or demonstrated in the writ petition that the PACS Kosai is a State or instrumentality of the State within the

meaning of the Article 12 of the Constitution. In view of the decision of the Full Bench **Sri Konaseema Co-op. Central Bank Limited vs. N. Seetharama Raju** ([1]), the writ petition is not maintainable and it is accordingly dismissed. No order as to costs.

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GODA RAGHURAM,J

28th NOVEMBER 2006
***TSNR**

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[1] AIR 1990 AP 171